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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO
10/734,515	12/12/2003	Eugene Luskin	MS1-1726US	1000
22801 7	590 10/13/2006		EXAMINER	
LEE & HAYES PLLC			CAMBY, RICHARD M	
421 W RIVER SPOKANE, W	SIDE AVENUE SUITE 500 7A 99201		ART UNIT	PAPER NUMBER
5. 5			3661	

DATE MAILED: 10/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)	
Office Action Summan	10/734,515	LUSKIN ET AL.	
Office Action Summary	Examiner	Art Unit	
	Richard M. Camby	3661	
The MAILING DATE of this communication app Period for Reply	ears on the cover sheet with the c	orrespondence addre	ess
A SHORTENED STATUTORY PERIOD FOR REPLY WHICHEVER IS LONGER, FROM THE MAILING DA - Extensions of time may be available under the provisions of 37 CFR 1.13 after SIX (6) MONTHS from the mailing date of this communication. - If NO period for reply is specified above, the maximum statutory period w - Failure to reply within the set or extended period for reply will, by statute, Any reply received by the Office later than three months after the mailing earned patent term adjustment. See 37 CFR 1.704(b).	ATE OF THIS COMMUNICATION 16(a). In no event, however, may a reply be tim ill apply and will expire SIX (6) MONTHS from cause the application to become ABANDONE	l. ely filed the mailing date of this comm 0 (35 U.S.C. § 133).	
Status			
1) Responsive to communication(s) filed on			
	-· action is non-final.		
3) Since this application is in condition for allowan		secution as to the m	erits is
closed in accordance with the practice under E.	•		orno io
Disposition of Claims			
4) Claim(s) 1-57 is/are pending in the application.			
4a) Of the above claim(s) is/are withdraw	n from consideration.		
5) Claim(s) is/are allowed.			
6) Claim(s) is/are rejected.			
7) Claim(s) is/are objected to.			
8) Claim(s) <u>1-57</u> are subject to restriction and/or e	lection requirement.		
Application Papers	·		
9) The specification is objected to by the Examiner			
10) The drawing(s) filed on is/are: a) acce		vaminer	
Applicant may not request that any objection to the d	•		
Replacement drawing sheet(s) including the correction	• • •	` '	1 121(4)
11) The oath or declaration is objected to by the Exa			, ,
Priority under 35 U.S.C. § 119			
12) Acknowledgment is made of a claim for foreign	priority under 35 U.S.C. & 410(a)	(d) or (f)	
a) ☐ All b) ☐ Some * c) ☐ None of:	priority under 35 c.s.c. § 119(a)	-(u) or (i).	
1.☐ Certified copies of the priority documents	have been received		
2. Certified copies of the priority documents		n No	
3. Copies of the certified copies of the priori			200
application from the International Bureau		a in this National Sta	ige ·
* See the attached detailed Office action for a list of	• • • • • • • • • • • • • • • • • • • •	d.	
Attachment(s)			
Notice of References Cited (PTO-892)	4) Interview Summary (
2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO/SB/08)	Paper No(s)/Mail Da 5) Notice of Informal Pa		
Paper No(s)/Mail Date	6) Other:	approximent	

DETAILED ACTION

Election/Restrictions

This application contains claims directed to the following patentably distinct species: Figure 2, Figure 3, figure 4, and figure 8. The species are independent or distinct because the vehicle based computers of the different species do different manipulations of data.

Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, no claims are generic.

Applicant is advised that a reply to this requirement must include an identification of the species that is elected consonant with this requirement, and a listing of all claims readable thereon, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which depend from or otherwise require all the limitations of an allowable generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species.

MPEP § 809.02(a).

Applicant is advised that the reply to this requirement to be complete must include (i) an election of a species or invention to be examined even though the

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requirement be traversed (37 CFR 1.143) and (ii) identification of the claims encompassing the elected invention.

The election of an invention or species may be made with or without traverse. To reserve a right to petition, the election must be made with traverse. If the reply does not distinctly and specifically point out supposed errors in the restriction requirement, the election shall be treated as an election without traverse.

Should applicant traverse on the ground that the inventions or species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the inventions or species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C.103(a) of the other invention.

Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Richard M. Camby whose telephone number is (571) 272-6958. The examiner can normally be reached on Tues-Fri 9:00 a.m.-7:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas G. Black can be reached on (571) 272-6956. The fax phone

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number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

RICHARD M. CAMBY PRIMARY EXAMINED
